



PART B - FEE(S) TRANSMITTAL

Complete and send this form together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**
or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

21269 7590 04/07/2004

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

PEPPER HAMILTON LLP
ONE MELLON CENTER, 50TH FLOOR
500 GRANT STREET
PITTSBURGH, PA 15219

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Kathleen Pluol

(Depositor's name)

Kath Pluol

(Signature)

June 1, 2004

(Date)

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/838,129 | 04/20/2001 | William F. Stout | ---39572X00 | 9516 |

TITLE OF INVENTION: LATENT PROPERTY DIAGNOSING PROCEDURE

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|-----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO | \$1330 | \$300 | \$1630 | 07/07/2004 |
| EXAMINER | ART UNIT | | CLASS-SUBCLASS | | |
| FERNSTROM, KURT | | 3712 | 434-353000 | | |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

*1 W. Joseph McNik
2 Pepper HAMILTON LLP
3 _____*

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Educational Testing Service

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Princeton, NJ

Please check the appropriate assignee category or categories (will not be printed on the patent): individual corporation or other private group entity government

4a. The following fee(s) are enclosed:

- Issue Fee
 Publication Fee
 Advance Order - # of Copies 1

4b. Payment of Fee(s):

- A check in the amount of the fee(s) is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 05-0426 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) *W. Joseph McNik* (Date) *June 1, 2004*

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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06/04/2004 CNGUYEN1 00000085 050426 09838129

| | |
|------------|------------|
| 01 FC:1501 | 1330.00 DA |
| 02 FC:1504 | 300.00 DA |
| 03 FC:8001 | 3.00 DA |

TRANSMIT THIS FORM WITH FEE(S)



JUN 03 2004

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1630.00)

Complete if Known

| | |
|----------------------|----------------|
| Application Number | 09/838,129 |
| Filing Date | April 20, 2001 |
| First Named Inventor | Stout |
| Examiner Name | Fernstrom |
| Art Unit | 3712 |
| Attorney Docket No. | 122467.01401 |

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

 Deposit Account:

Deposit Account Number
05-0426
Deposit Account Name
Patricia R. Beckman

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 770 | 2001 385 | Utility filing fee | |
| 1002 340 | 2002 170 | Design filing fee | |
| 1003 530 | 2003 265 | Plant filing fee | |
| 1004 770 | 2004 385 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |
| SUBTOTAL (1) (\$) | | | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
| | | | -20** = | X | = |
| | | | - 3** = | X | = |
| | | | | | |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|----------------------------|----------------------------|--|
| 1202 18 | 2202 9 | Claims in excess of 20 |
| 1201 86 | 2201 43 | Independent claims in excess of 3 |
| 1203 290 | 2203 145 | Multiple dependent claim, if not paid |
| 1204 86 | 2204 43 | ** Reissue independent claims over original patent |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) (\$) | | |

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$) | Fee (\$) | Fee Code (\$) | Fee (\$) | Fee Description | Fee Paid |
|---------------------------|-------------|--|----------|-----------------|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | | | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | | | |
| 1053 130 | 1053 130 | Non-English specification | | | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | | | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | | | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | | | |
| 1251 110 | 2251 55 | Extension for reply within first month | | | |
| 1252 420 | 2252 210 | Extension for reply within second month | | | |
| 1253 950 | 2253 475 | Extension for reply within third month | | | |
| 1254 1,480 | 2254 740 | Extension for reply within fourth month | | | |
| 1255 2,010 | 2255 1,005 | Extension for reply within fifth month | | | |
| 1401 330 | 2401 165 | Notice of Appeal | | | |
| 1402 330 | 2402 165 | Filing a brief in support of an appeal | | | |
| 1403 290 | 2403 145 | Request for oral hearing | | | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | | | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | | | |
| 1453 1,330 | 2453 665 | Petition to revive - unintentional | | | |
| 1501 1,330 | 2501 665 | Utility issue fee (or reissue) | | | |
| 1502 480 | 2502 240 | Design issue fee | | | 1330.00 |
| 1503 640 | 2503 320 | Plant issue fee | | | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | | | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | | | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | | | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | | | |
| 1809 770 | 2809 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | | | |
| 1810 770 | 2810 385 | For each additional invention to be examined (37 CFR 1.129(b)) | | | |
| 1801 770 | 2801 385 | Request for Continued Examination (RCE) | | | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | | | |
| Other fee (specify) _____ | | | | | 300.00 |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1,630)

SUBMITTED BY

(Complete if applicable)

| | | | | | |
|-------------------|------------------|--------------------------------------|--------|-----------|--------------|
| Name (Print/Type) | W. Joseph Melnik | Registration No. (Attorney/Agent) | 48,741 | Telephone | 412.454.5000 |
| Signature | | Date | | | May 28, 2004 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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